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IN THE CLAIMS

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Please cancel claims 19 and 29-37, and amend claims 14, 15, 20, 21, 22 and 24 as follows:

1-13. (CANCELED)

1
~~14.~~ (CURRENTLY AMENDED) A method for fabricating microelectromechanical (MEMS) structures in a metal substrate, comprising:

providing a mask layer on a top surface of a metal wafer;
patterning said mask layer to form a mask defining a MEMS structure; and
deep etching the metal wafer through said mask using metal anisotropic reactive ion etching with oxidation to provide a first cavity corresponding to said MEMS structure in said metal wafer, wherein said deep etching using metal anisotropic reactive ion etching comprises alternately and repeatedly applying an oxidation plasma and an etching plasma to said metal wafer to cyclically oxidize and etch metal exposed through said mask.

2
~~15.~~ (CURRENTLY AMENDED) The method of claim ~~14~~, wherein said deep etching further includes:

depositing PECVD oxide on all exposed floor and wall surfaces of said cavity in said metal wafer;
removing the oxide from the floor of said cavity to expose said metal wafer; and
further etching the exposed metal wafer.

3
~~16.~~ (ORIGINAL) The method of claim ~~15~~, further including:
etching to undercut the exposed wall surfaces of said cavity to produce a released MEMS structure.

4
~~17.~~ (ORIGINAL) The method of claim ~~16~~, further including depositing a conductive layer on at least a portion of said mask layer.

5 ~~18.~~ (ORIGINAL) The method of claim ~~14~~¹, wherein said patterning and deep etching steps defines a released metal MEMS structure surrounded by a cavity, the process further including:
filling the cavity around and under the released structure with a deposited insulator;
removing the insulating mask layer on said structure in a region where electrical contact is to be made with said structure;
depositing metal to make contact with said structure;
depositing a second insulating layer over said contact metal; and releasing said structure.

19. (CANCELED)

6 ~~20.~~ (CURRENTLY AMENDED) The method of claim ~~[[19]] 14~~¹, further including varying said oxidation plasma to change the quality and thickness of oxidation of said metal.

7 ~~21.~~ (CURRENTLY AMENDED) The method of claim ~~[[19]] 14~~¹, further including varying the amount of oxidation and etching performed in each cycle to controllably etch a cavity in said metal wafer and to control the surface roughness of cavity walls.

8 ~~22.~~ (CURRENTLY AMENDED) The method of claim ~~21~~⁷, further including controlling the etching of a cavity to produce a released metal structure in said metal wafer.

9 ~~23.~~ (ORIGINAL) The method of claim ~~22~~⁸, further including implanting ions in said released metal structure to change the composition of the metal.

10 ~~24.~~ (CURRENTLY AMENDED) The method of claim ~~23~~⁹, wherein the metal of said metal wafer is titanium, the method further including implanting selected ions in said released metal structure to change the composition of the metal to a selected one of the group consisting of Titanium Carbide, Titanium Boride, and Titanium Nitride.

11 ~~25.~~ (ORIGINAL) The method of claim ~~24~~⁷, further including controllably etching said cavity to produce substantially vertical cavity walls.

~~12~~ 26. (ORIGINAL) The method of claim ~~7~~ 21, further including controllably etching said cavity to produce tapered cavity walls.

~~13~~ 27. (ORIGINAL) The method of claim ~~1~~ 4, further including stacking and bonding multiple metal substrates containing MEMS structures.

~~14~~ 28. (ORIGINAL) The method of claim ~~1~~ 4, further including enclosing said fabricated MEMS structures to form an enclosed package.

29-37. (CANCELED)